

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

TEXTRON INNOVATIONS INC.,)	
)	
Plaintiff,)	
)	C. A. No. 05-486 (GMS)
v.)	
)	JURY TRIAL DEMANDED
THE TORO COMPANY,)	
)	
Defendant.)	

**AMENDED NOTICE OF VIDEOTAPED DEPOSITION AND REQUEST FOR
DESIGNATIONS OF PERSONS TO TESTIFY UNDER FED.R.CIV.P. 30(b)(6)**

PLEASE TAKE NOTICE that on Friday **October 6, 2006**, commencing at **9:00 a.m.**, at the offices of Merchant & Gould, 901 - 15th Street N.W., Suite 850, Washington, D.C. 20005, or at some other place mutually agreed upon by counsel, Defendant will take the videotaped deposition of Textron Innovations Inc., which includes, but is not limited to, Textron, Inc., Jacobsen, a Textron Company, Ransomes Inc., Cushman, Inc. and their parents and subsidiaries (hereinafter "Textron") upon oral examination pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure on the following topics:

1. Investigation of products accused of infringing the '530, '311 and '312 patents.
2. Prior art to the '530, '311 and '312 patents.
3. Sales or offers for sale of embodiments shown or described in the '530, '311 and '312 patents before the filing date.
4. Any public disclosure or public knowledge of the alleged inventions disclosed or claimed in the '530, '311 and '312 patents before the filing dates.

5. Textron's application of the claim terms used in the '530, '311 and '312 patents to each Toro product accused of infringement.
6. Textron's application of the claim terms used in the '530, '311 and '312 patents to the prior art.

The videotaped deposition upon oral examination shall continue from day-to-day until completed.

Pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Textron is requested to identify the person or persons who will testify on its behalf on each of the topics identified above. Defendant requests that, prior to the commencement of the deposition, Textron supply a written designation of persons who will testify on its behalf and an indication of the topic(s) for which each such person is designated.

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Dated: September 29, 2006

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753260/29362

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CERTIFICATE OF SERVICE

I, David E. Moore, hereby certify that on September 29, 2006, the attached document was electronically mailed and hand delivered to the following persons and was electronically filed with the Clerk of the Court using CM/ECF which will send notification to the registered attorney(s) of record that the document has been filed and is available for viewing and downloading:

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I hereby certify that on September 29, 2006, I have Electronically Mailed and Federal Expressed the documents to the following:

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